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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/584,324

05/01/2009

Ralf Schaefer

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9084

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EXAMINER

HONG, HYUN J

ART UNIT

PAPER NUMBER

2426

MAIL DATE

DELIVERY MODE

08/17/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/584,324	Applicant(s) SCHAEFER ET AL.	
	Examiner Hyun J. Hong	Art Unit 2426	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 May 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office action is in response to a case filed on 05/13/2010. Claims 1-8 are pending.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Toiva (US 2003/0022643).

Regarding claim 1, Toiva discloses method of recognition by a receiver connected to an IP type network, of at least one digital service on the IP type network, wherein the method performed by said receiver comprises:

Connecting to a first IP stream ([0038] *STB receives the IP streams and separates the packets*);

Extracting for said first IP stream first location information on a location on the IP type network, of at least one IP stream conveying the content of said at least one digital service (figs. 3a, 3b, [0038] *The STB separates the packets in the data stream to retrieve network information tables*) and

Extracting from said first IP stream second location information on a location on said IP type network at least one second separate IP stream conveying description

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information relating to said at least one digital service, said first and second location information comprising at least one descriptor for locating a respective IP stream on said Ip type network ([0047] *SDT table contains addressing information*);

Connecting to said at least said second separate IP stream to obtain service description information related to said at least one digital service ([0050-0055] *The URL address provides a location for the service providers shown in the SDT table*);

Constructing, in response to at least said second location information and said service description information, a list, of at least one digital service available on the IP type network ([0057] *the packets are retrieved using the service providers*).

Regarding claim 2, Toiva discloses method according to claim 1 wherein all signaling tables relating to said at least one digital service are contained in at least IP one stream other than the IP stream conveying the content of said at least one digital service ([0059]).

Regarding claim 3, Toiva discloses the method according to claim 2 comprising a step of testing a mapping between an identifier and a filter contained in the at least one descriptor for determining whether a table having this identifier is available in said At least one second separate IP stream (fig. 6).

Regarding claim 4, Toiva discloses method according to claim 1 wherein the method further includes the step of transmitting a first Ip address and a first port number by the user ([0059]).

Regarding claim 5, Toiva discloses the method according to claim 1 wherein the method further includes the step of receiving a first IP address and a first port number

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from the IP type network by the receiver ([0014] *IP addresses are used to identify individual computers*).

Regarding claim 6, Toiva discloses method according to claim 1 wherein the at least one IP stream conveying the content of said at least one digital service contains only a single DVB service ([0019] *The single transport stream id is indicative of a single DVB service*).

Regarding claim 7, Toiva discloses method according to claim 1 wherein the list of at least one digital service available on the IP type network is included in a Network information table contained in a stream available at a first broadcast IP address on a first port (figs 3a-3d).

Regarding claim 8, Toiva discloses device for connecting to a broadcast IP address, the device including:

A network interface for connecting to an IP network ([0014]); and

A decoder for decoding an IP stream broadcast to this broadcast IP address ([0038]),

Wherein the decoder analyzes a network information table, said network information table being extracted from the IP stream, said network information table containing network descriptors suited to the IP type network (figs. 3a-3d *The NITs contain descriptors that describe the file's location and contents*), and

Said decoder establishing a connection to each broadcast IP address described in said NIT to reach a second IP stream and extract from the second IP stream the

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description information relating to at least one digital service (figs. 5-6 *The NIT and SDT tables provide the locations of the various files on the internet.*)

On the IP type network, according to any one of the methods according to claim 1.

Response to Arguments

Applicant's arguments are moot in view of new grounds of rejection.

Conclusion

Claims 1-8 are pending.

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Correspondence Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hyun J. Hong whose telephone number is (571)270-1553. The examiner can normally be reached on M-F (9:30a-7:00p).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hirl can be reached on (571)272-3685. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/H. J. H./

Examiner, Art Unit 2426

/Joseph P. Hirl/

Supervisory Patent Examiner, Art Unit 2426

August 16, 2010